(3)

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CHHOK

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition NO. 3485 /2003

PETITIONER : Jai Prakash Pathak, S/o. Late Vidya Dhar Pathak, aged about 27 yrs. resident of Bouripara, near Shiva Temple P.O. Ambikapur, Distt. Surguja (C.G.)

VERSUS

RESPONDENTS :

1. State of Chhattisgarh - through Principal Secretary (Water resources) Department Irrigation, Deptt. Secretariat D.K.Bhavan, Raipur (C.G.)

2. Chief Engineer Hasdeo Kachhar (Water resources Department) Irrigation Deptt., Bilaspur (C.G.).

3. Superintending Engineer, Shyam Barnai Project, (Water resources) Department, Irrigation Deptt., P.O. Ambikapur, Distt. Surguja (C.G.)

4. Executive Engineer, Barnai Canal Division (Water resources Department) Irrigation Department, P.O. Ambikapur, Distt. Surguja (C.G.).

P. R. No. 3103/03
Presented by Shri Virendra Choubey
dated 03/10/03

Manjul Shyam Sinha
Surguja Ambikapur
Regd. No. 41/5/99
CHHATTISGARH STATE

07 OCT 2003

COPY.

WRIT PETITION UNDER ARTICLE 226/227 OF CONSTITUTION OF INDIA.

(30)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 348/09 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

23-1-2004

Shri Rajeev Bharat, counsel for the petitioner.

Miss Sharmila Singhai, Deputy Government Advocate takes notice for respondents.

Heard both the counsel.

The case of the petitioner is that his father namely, late Vidyadhar Pathak was working with respondents and was posted on the post of supervisor since 22-11-1983 as daily wages employee. He was posted at village Libra of Sarguja. During the service he died on 8-11-2002 leaving behind all dependent family members who have no source of income. The petitioner is an educated unemployed youth seeking employment on compassionate ground. The petitioner has passed M.A. in Sociology and on the death of his father his mother made an application for compassionate appointment to Chief Engineer, Bilaspur, (respondent No.2). Copy of the application is Annexure-P/5. On the applications of the petitioner Annexure-P/5 and Annexure-P/6, respondent No.2 directed respondent No.3 for necessary action and also directed to forward the petitioner's application after completion of all the formalities. Respondent No.3 in response to direction of respondent No.2 forwarded the application of the petitioner for compassionate appointment to respondent No.2, but respondent No.2 has not taken any action so far.

Learned counsel for the petitioner submits that the petitioner is eligible for compassionate appointment as per the Government Policy dated 10th June 2003, but respondent No.2 is not taking any action.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित (2)	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation to respondent No.2 raising all his grievances within a period of 15 days and showing his eligibility for the appointment on compassionate ground and in turn respondent No.2 will decide the representation of the petitioner within a period of 30 days from the date of receipt of the representation considering the case of the petitioner for compassionate appointment if he is eligible for compassionate appointment as per the Government Policy. With the above direction, the writ petition is disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	